

**CITY OF AUSTIN**  
**Board of Adjustment/Sign Review Board**  
**Decision Sheet**

**DATE: Monday, Feb 11, 2013**

**CASE NUMBER: C15-2012-0111**

☒ Y \_\_\_\_\_ Jeff Jack  
☒ Y \_\_\_\_\_ Michael Von Ohlen  
☒ Y \_\_\_\_\_ Nora Salinas ABSENT – STUART HAMPTON  
☒ Y \_\_\_\_\_ Bryan King  
☒ Y \_\_\_\_\_ Fred McGhee  
☒ Y \_\_\_\_\_ Melissa Hawthorne  
☒ Y \_\_\_\_\_ Sallie Burchett  
☐ - \_\_\_\_\_ Cathy French (SRB only)

**APPLICANT: Pablo Serna**

**OWNER: Will Fowler**

**ADDRESS: 3312 BEVERLY RD**

**VARIANCE REQUESTED:** The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-774 (B) from 7,000 square feet to 6,795 square feet in order to erect a Two-Family Residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 5 feet in order to erect a Two-Family Residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 14 feet 2 inches in order to erect a Two-Family Residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

**BOARD'S DECISION:** Oct 8, 2012 - The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to November 13, 2012 (Re-notification), Board Member Nora Salinas second on a 7-0 vote; **POSTPONED TO NOVEMBER 13, 2012 (RE-NOTIFICATION).**

**BOARD'S DECISION:** Nov 13, 2012 – **POSTPONED TO DECEMBER 10, 2012 PER APPLICANT**

**BOARD'S DECISION:** Dec 10, 2012 - **POSTPONED TO JANUARY 14, 2013 (RENOTIFICATION REQUIRED – NEED TO MODIFY VARIANCE, SIDE STREET DIMENSIONS).**

**REVISED VARIANCE REQUEST:** The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 12 feet in order to maintain and erect an addition to an existing single family residence in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

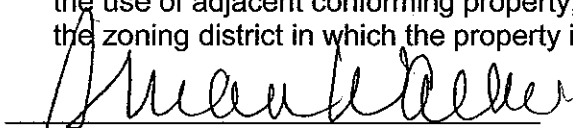
**BOARD'S DECISION:** Jan 14, 2013 meeting cancelled due to notification error of posting of agenda

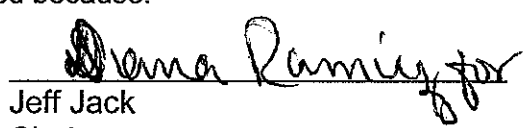


**BOARD'S DECISION: Feb 11, 2013 POSTPONED TO MARCH 11, 2013 (RE-NOTIFICATION REQUIRED)**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:  
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

  
Susan Walker  
Executive Liaison

  
Jeff Jack  
Chairman



## Ramirez, Diana

---

**From:** Joyce Basciano <jbasciano@austintexas.com>  
**Sent:** Monday, March 04, 2013 3:24 PM  
**To:** Walker, Susan; Ramirez, Diana  
**Cc:** Sita Lakshminarayan  
**Subject:** FW: C15-2012-0111 3312 Beverly Road for March 11th hearing packet  
**Attachments:** IMG.pdf

**Importance:** High

Susan and Diana,

Would you put this entire email in the BOA packets?

By the way, I received two notices for this case. Our president, Sita Lakshminarayan received a notification for each of the two cases we have this month. If you need help correcting the notification system, please let me know.

Thank you,  
Joyce Basciano

Dear Chairman Jack and Members of the Board of Adjustment,

This case began last September (having been postponed a few times). The Bryker Woods Neighborhood Association (BWNA) Board of Directors hopes for a decision from you this month.

Since last month's hearing neither the owner nor the applicant have contacted BWNA to update us on their plans. We had to contact the applicant, Mr. Serna. As of today there are still no plans for this site for BWNA to review.

If the owner plans to just repair the existing structures, then we do not understand the need for a variance.

**The BWNA Board of Directors voted to oppose this latest variance request for a side yard setback reduction from 15'0" to 10'6", and remains unopposed to a side yard reduction from 15'0" to 12'0" (see email below).**

Thank you for your service to the community.

Joyce Basciano  
Bryker Woods Neighborhood Association

---

**From:** Joyce Basciano [mailto:jbasciano@austintexas.com]  
**Sent:** Sunday, December 02, 2012 6:54 PM  
**To:** [susan.walker@austintexas.gov](mailto:susan.walker@austintexas.gov); [Diana.Ramirez@austintexas.gov](mailto:Diana.Ramirez@austintexas.gov)  
**Cc:** Sita Lakshminarayan  
**Subject:** C15-2012-0111 3312 Beverly Road for December 10th hearing packet

Chairman Jack and Members of the Board of Adjustment,

Re: C15-2012-0111 3312 Beverly Rd



During the October 8, 2012 Board of Adjustment hearing I was asked by the BOA if the Bryker Woods Neighborhood Association (BWNA) Board of Directors would consider allowing a variance for a 3' decrease in the Side Yard Setback from 15'-0" to 12'-0", which is the distance from the (34<sup>th</sup> St side) property line to the northwest corner of the existing 2-story house (see attachment). By a 7-0 vote the BOA decided to postpone the hearing to allow the applicant to work with the neighborhood association and for me to discuss the 3' decrease in the (34<sup>th</sup> St) Side Yard Setback with the BWNA Board.

At our October 16<sup>th</sup> monthly meeting the BWNA Board voted not to oppose decreasing the Side Yard Setback from 15'-0" to 12'-0". However the **BWNA Board maintains its strong opposition to the other two variance requests from the original application dated July 31, 2012:**

- #1. "Detached Garage with Secondary Apt on lot less than 7,000 SF (6795.36 per sheet A1.0) and
- #3. "Build within 10'-0" Rear Yard Setback (as shown, 5'-0" on sheet A2.0)

The applicant, Pablo Serna, is aware of BWNA's current position on each variance.

The BWNA did not object when the November hearing was postponed at the applicant's request. I will be representing the BWNA Board at the December 10<sup>th</sup> BOA hearing.

Thank you for your service to the Austin community.

Joyce Basciano





CC: Sita Lakshiminarayan, President  
Bryker Woods Neighborhood Association



LOT: 7 BLOCK: 2  
SUBDIVISION: Bryker Woods "E"  
VOL: 4 PAGE: 104  
COUNTY: Travis

3312 Beverly Road  
ZONING: SF-3-NP

A. Per Survey:  
- Total SF of Lot = 6,795,36 SF

 NEW WALL PARTITIONS  
 EXISTING WALLS  
 EXISTING - NOT IN CONTRACT  
 ITEM(S) TO BE DEMOLISHED





## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact person listed on a notice); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number: C15-2012-0111 – 3312 Beverly Road**

**Contact: Susan Walker, 512-974-2202**

**Public Hearing: Board of Adjustment, February 11, 2013**

DOROTHY CAVEY

Your Name (please print)

☐ I am in favor  
☒ I object

1901 W. 34TH ST.

Your address(es) affected by this application

Dorothy Cavey

Signature

2/5/13

Date

Daytime Telephone: 512-453-7933

Comments: Why leased you want your residence any closer to the street? Bad owner

**If you use this form to comment, it may be returned to:**

City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker

P. O. Box 1088

Austin, TX 78767-1088



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
  - appearing and speaking for the record at the public hearing;
- and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C15-2012-0111 - 3312 Beverly Road  
Contact: Susan Walker, 512-974-2202  
Public Hearing: Board of Adjustment, February 11, 2013

Will Gray

Your Name (please print)

3305 Beverly Rd.

Your address(es) affected by this application

*Will Gray*

Signature

2/2/13

Date

Daytime Telephone:

698 2575

Comments:

*This sounds like a reasonable  
variance request, one that will improve  
the property for family living.*

☒ I am in favor  
☐ I object

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor  
Susan Walker  
P. O. Box 1088  
Austin, TX 78767-1088



**CITY OF AUSTIN**  
**Board of Adjustment/Sign Review Board**  
**Decision Sheet**

**DATE: Monday, December 10, 2012**

**CASE NUMBER: C15-2012-0111**

\_\_\_\_ Jeff Jack  
\_\_\_\_ Michael Von Ohlen  
\_\_\_\_ Nora Salinas  
\_\_\_\_ Bryan King  
\_\_\_\_ Fred McGhee  
\_\_\_\_ Melissa Hawthorne  
\_\_\_\_ Sallie Burchett  
\_\_\_\_ Cathy French (SRB only)

**APPLICANT: Pablo Serna**

**OWNER: Will Fowler**

**ADDRESS: 3312 BEVERLY RD**

**VARIANCE REQUESTED:** The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-774 (B) from 7,000 square feet to 6,795 square feet in order to erect a Two-Family Residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 5 feet in order to erect a Two-Family Residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 14 feet 2 inches in order to erect a Two-Family Residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

**BOARD'S DECISION:** Oct 8, 2012 The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to November 13, 2012 (Re-notification), Board Member Nora Salinas second on a 7-0 vote; **POSTPONED TO NOVEMBER 13, 2012 (RE-NOTIFICATION).**

**BOARD'S DECISION:** Nov 13, 2012 – **POSTPONED TO DECEMBER 10, 2012 PER APPLICANT**

**Dec 10, 2012 - POSTPONED TO JANUARY 14, 2013 (RENOTIFICATION REQUIRED – NEED TO MODIFY VARIANCE, SIDE STREET DIMENSIONS.**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:  
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

  
Susan Walker  
Executive Liaison

  
Jeff Jack  
Chairman



**Walker, Susan**

---

**From:** Joyce Basciano [REDACTED]  
**Sent:** Sunday, December 02, 2012 6:54 PM  
**To:** Walker, Susan; Ramirez, Diana  
**Cc:** Sita Lakshminarayan  
**Subject:** C15-2012-0111 3312 Beverly Road for December 10th hearing packet  
**Attachments:** IMG.pdf

Chairman Jack and Members of the Board of Adjustment,

Re: C15-2012-0111 3312 Beverly Rd

During the October 8, 2012 Board of Adjustment hearing I was asked by the BOA if the Bryker Woods Neighborhood Association (BWNA) Board of Directors would consider allowing a variance for a 3' decrease in the Side Yard Setback from 15'-0" to 12'-0", which is the distance from the (34<sup>th</sup> St side) property line to the northwest corner of the existing 2-story house (see attachment). By a 7-0 vote the BOA decided to postpone the hearing to allow the applicant to work with the neighborhood association and for me to discuss the 3' decrease in the (34<sup>th</sup> St) Side Yard Setback with the BWNA Board.

At our October 16<sup>th</sup> monthly meeting the BWNA Board voted not to oppose decreasing the Side Yard Setback from 15'-0" to 12'-0". However the **BWNA Board maintains its strong opposition to the other two variance requests from the original application dated July 31, 2012:**

- #1. "Detached Garage with Secondary Apt on lot less than 7,000 SF (6795.36 per sheet A1.0) and
- #3. "Build within 10'-0" Rear Yard Setback (as shown, 5'-0" on sheet A2.0)

The applicant, Pablo Serna, is aware of BWNA's current position on each variance.

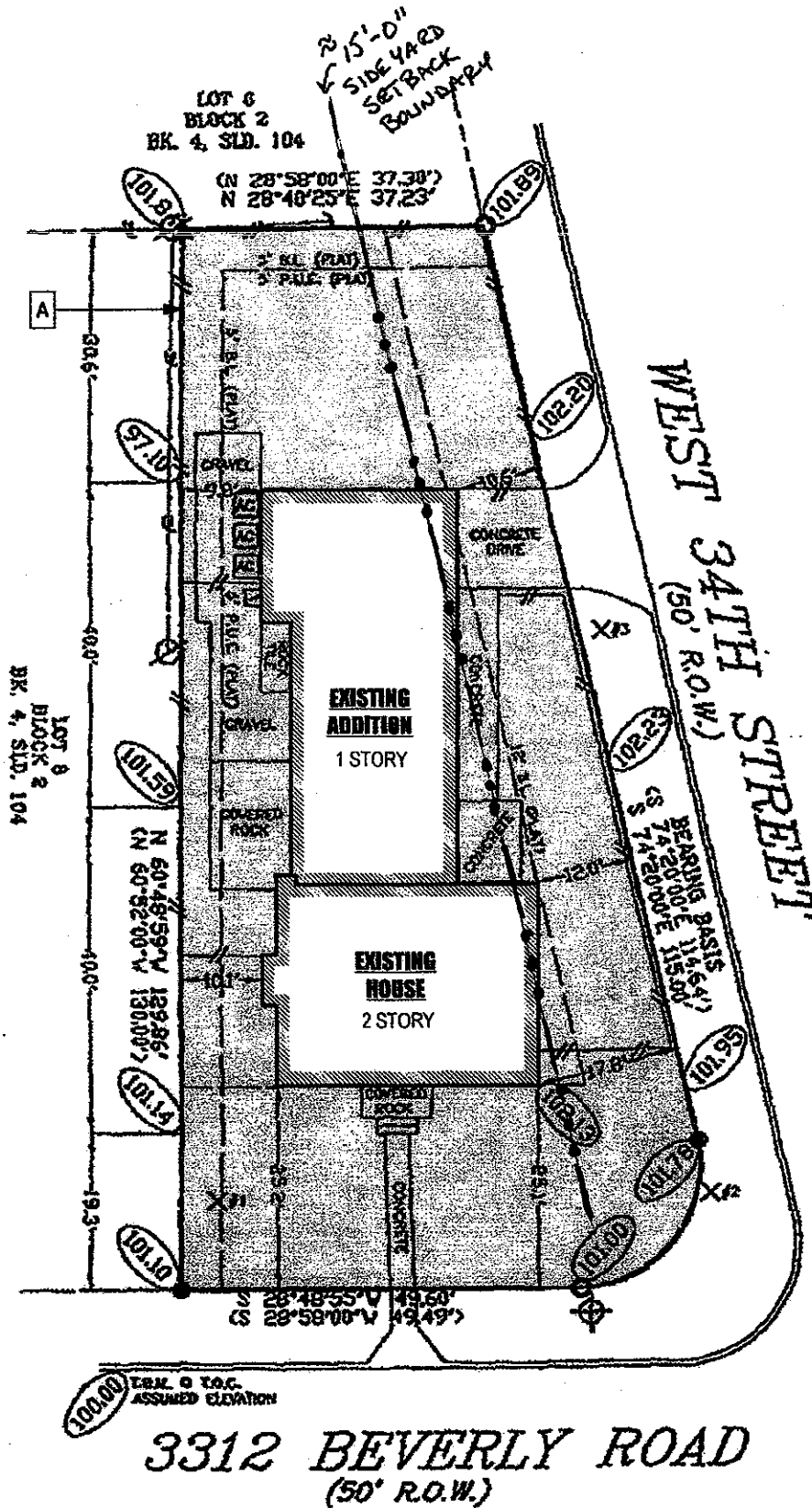
The BWNA did not object when the November hearing was postponed at the applicant's request. I will be representing the BWNA Board at the December 10<sup>th</sup> BOA hearing.

Thank you for your service to the Austin community.

Joyce Basciano

CC: Sita Lakshminarayan, President  
Bryker Woods Neighborhood Association



Legal Description:

LOT: 7 BLOCK: 2  
 SUBDIVISION: Bryker Woods "E"  
 VOL: 4 PAGE: 104  
 COUNTY: Travis

Street Address & Zoning Classification:

3312 Beverly Road  
 ZONING: SF-3-NP

Site Calculations:

A. Per Survey:  
 - Total SF of Lot = 6,795.36 SF

Graphic Legend:

- NEW WALL PARTITIONS
- EXISTING WALLS
- EXISTING - NOT IN CONTRACT
- ITEM(S) TO BE DEMOLISHED



**CITY OF AUSTIN**  
**Board of Adjustment/Sign Review Board**  
**Decision Sheet**

**DATE:** Monday, November 13, 2012

**CASE NUMBER:** C15-2012-0111

\_\_\_\_ Jeff Jack  
\_\_\_\_ Michael Von Ohlen  
\_\_\_\_ Nora Salinas  
\_\_\_\_ Bryan King  
\_\_\_\_ Fred McGhee  
\_\_\_\_ Melissa Hawthorne  
\_\_\_\_ Sallie Burchett  
\_\_\_\_ Cathy French (SRB only)

**APPLICANT:** Pablo Serna

**OWNER:** Will Fowler

**ADDRESS:** 3312 BEVERLY RD

**VARIANCE REQUESTED:** The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-774 (B) from 7,000 square feet to 6,795 square feet in order to erect a Two-Family Residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 5 feet in order to erect a Two-Family Residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 14 feet 2 inches in order to erect a Two-Family Residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

**BOARD'S DECISION:** The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to November 13, 2012 (Re-notification), Board Member Nora Salinas second on a 7-0 vote; POSTPONED TO NOVEMBER 13, 2012 (RE-NOTIFICATION).

**BOARD'S DECISION:** Nov 13, 2012 – POSTPONED TO DECEMBER 10, 2012 PER APPLICANT

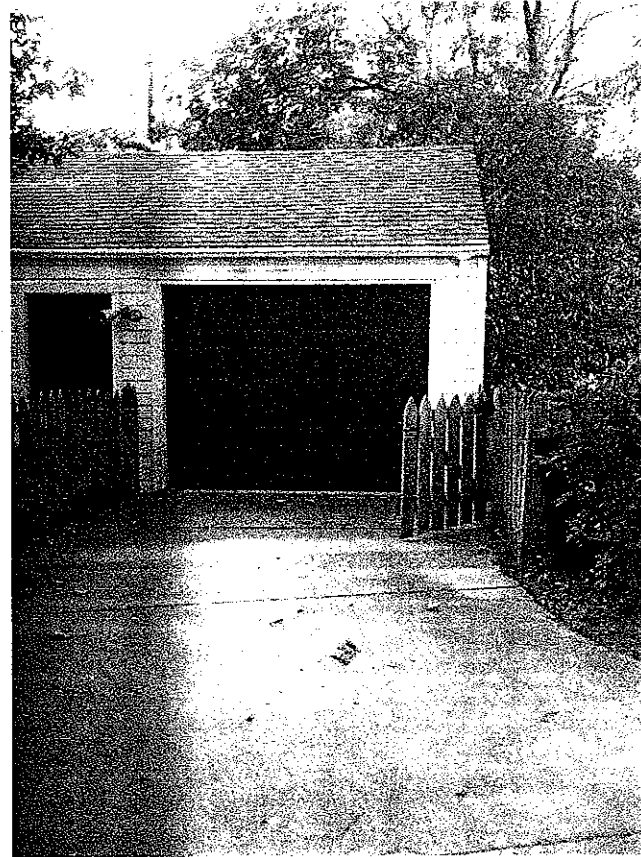
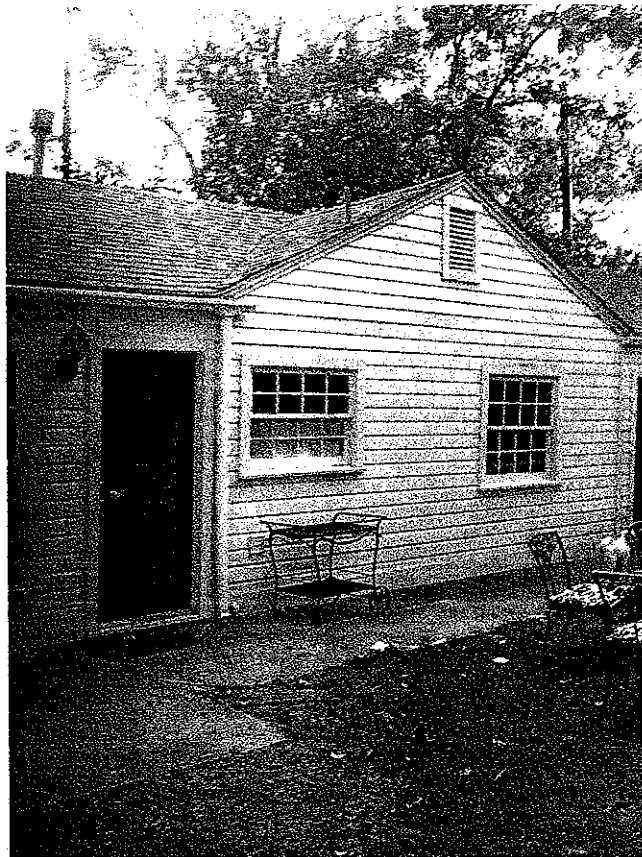
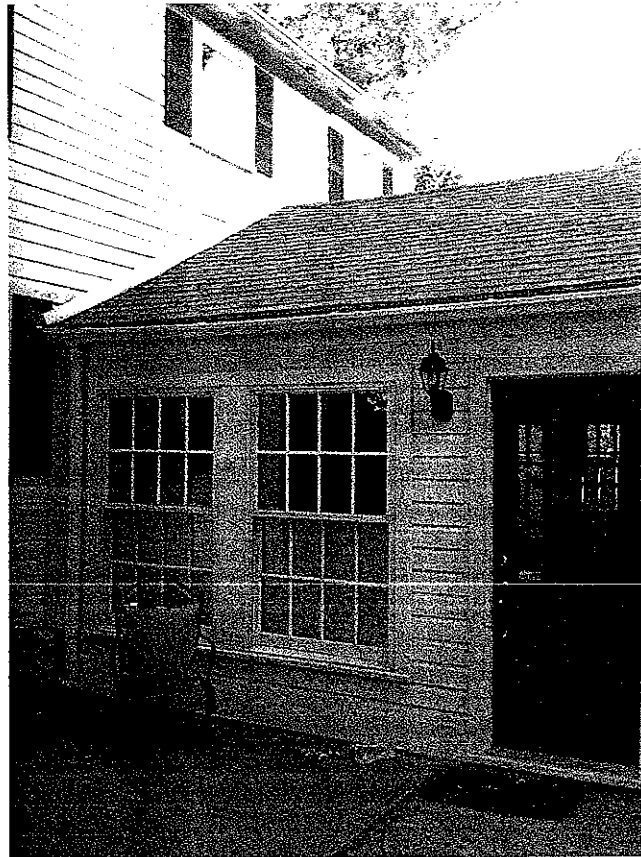
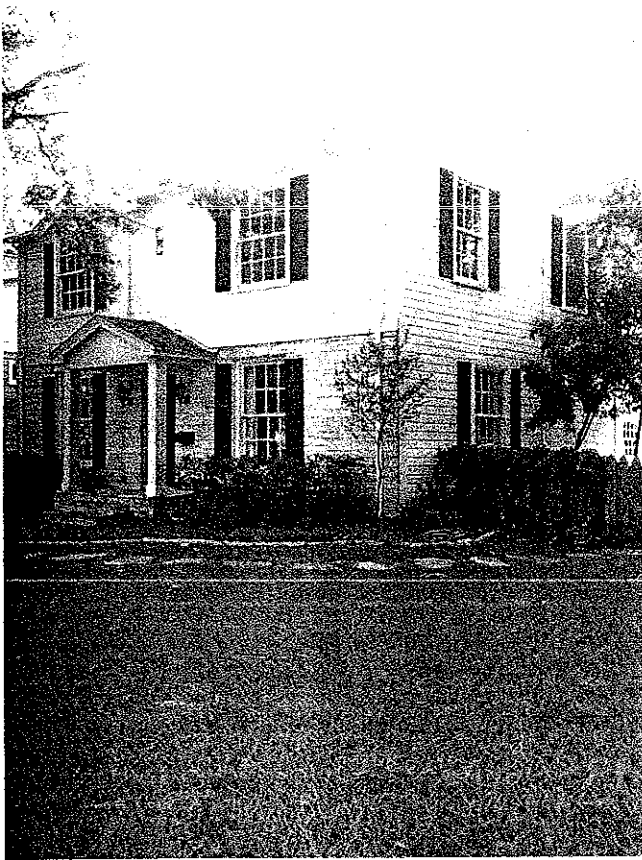
**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:  
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

\_\_\_\_\_  
Susan Walker  
Executive Liaison





\_\_\_\_\_  
Jeff Jack  
Chairman





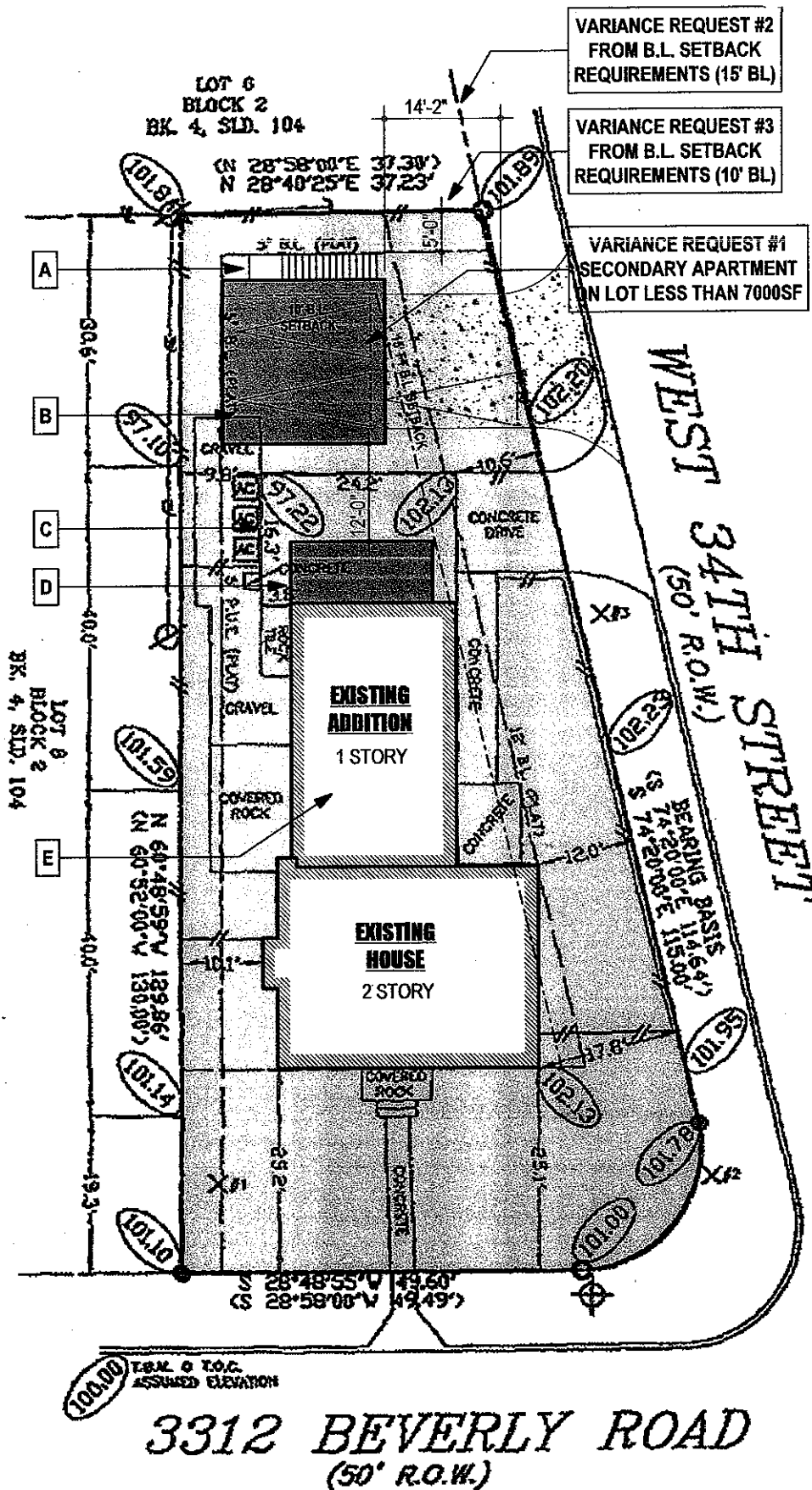




 NEW WALL PARTITIONS  
 EXISTING WALLS  
 EXISTING - NOT IN CONTRACT  
 ITEM(S) TO BE DEMOLISHED









# 3301 THOUSAND OAKS COVE

## SITE PLAN

SCALE: 1" = 20'-0"



CGAPARTNERS

A LIMITED LIABILITY PARTNERSHIP

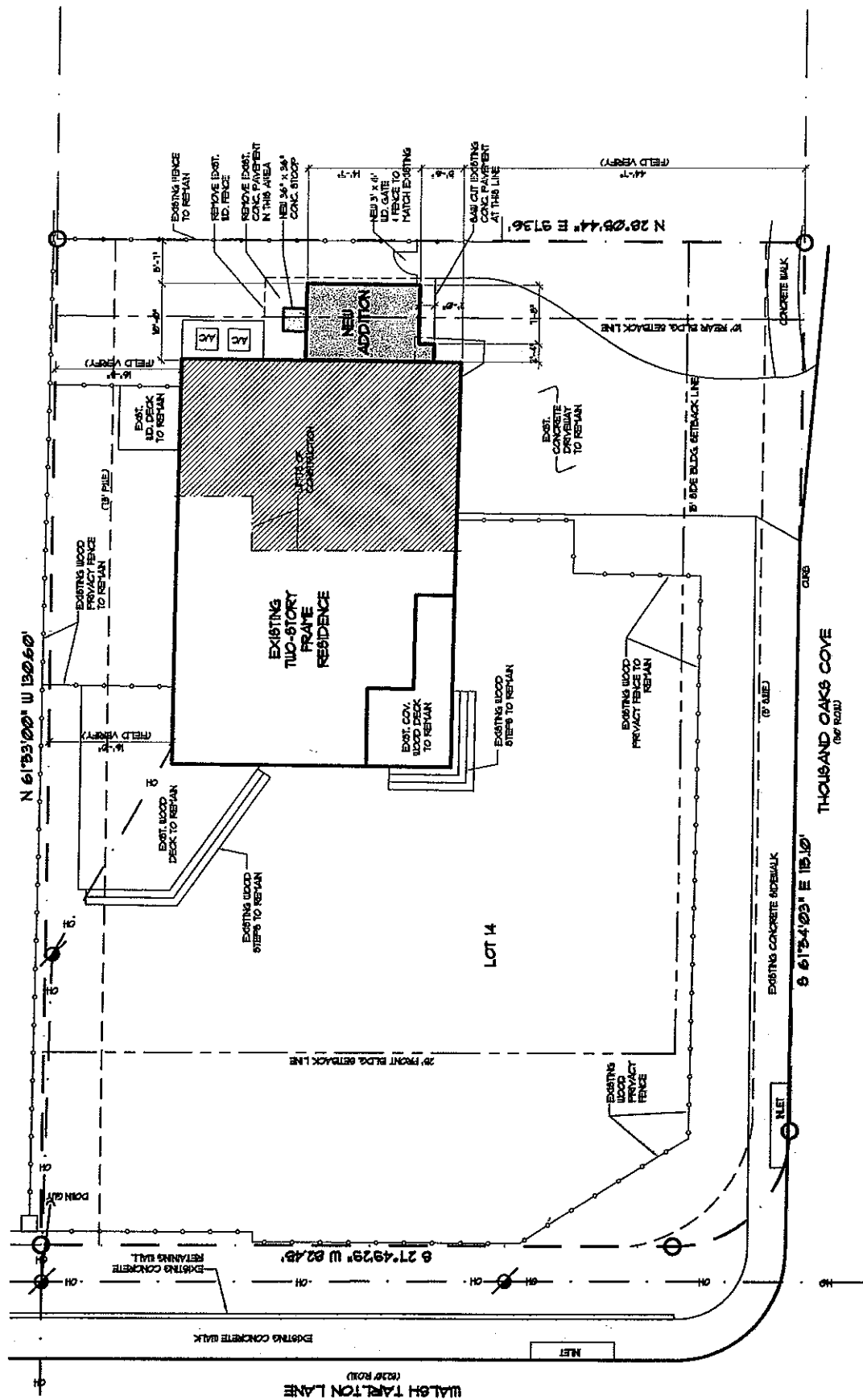
**CORTIERSTONE GROUP ARCHITECTS**

7000 BEE CAVES RD, SUITE 200 AUSTIN TX 78746

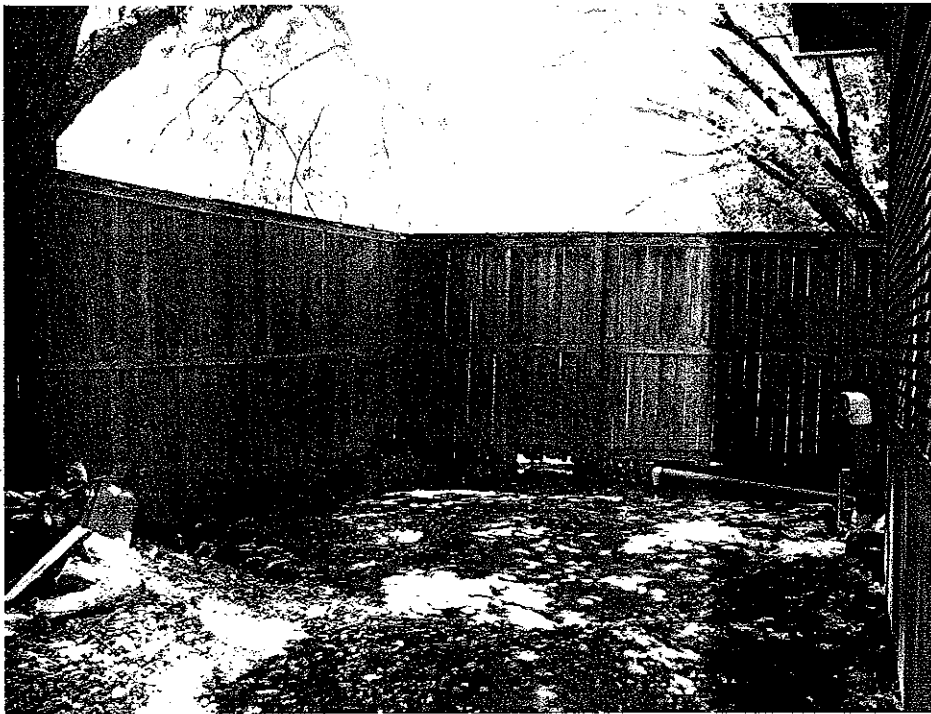
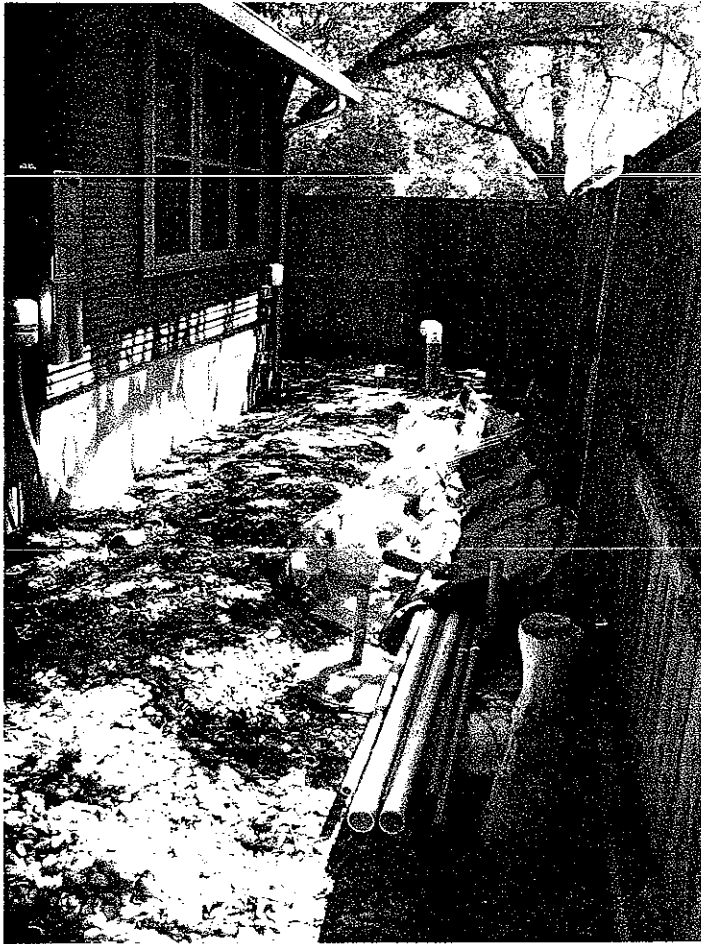
T (512) 329 0007

F (512) 329 0008

WWW.CGAPARTNERS.NET









**CITY OF AUSTIN**  
**Board of Adjustment/Sign Review Board**  
**Decision Sheet**

**DATE:** Monday, October 8, 2012

**CASE NUMBER:** C15-2012-0111

\_\_\_\_ Jeff Jack  
\_\_\_\_ Michael Von Ohlen  
\_\_\_\_ Nora Salinas  
\_\_\_\_ Bryan King  
\_\_\_\_ Fred McGhee  
\_\_\_\_ Melissa Hawthorne  
\_\_\_\_ Sallie Burchett  
\_\_\_\_ Cathy French (SRB only)

**APPLICANT:** Pablo Serna

**OWNER:** Will Fowler

**ADDRESS:** 3312 BEVERLY RD

**VARIANCE REQUESTED:** The applicant has requested a variance to decrease the minimum lot size requirement of Section 25-2-774 (B) from 7,000 square feet to 6,795 square feet in order to erect a Two-Family Residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 5 feet in order to erect a Two-Family Residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 14 feet 2 inches in order to erect a Two-Family Residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

**BOARD'S DECISION:** The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to November 13, 2012 (Re-notification), Board Member Nora Salinas second on a 7-0 vote; **POSTPONED TO NOVEMBER 13, 2012 (RE-NOTIFICATION).**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:  
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

  
\_\_\_\_  
Susan Walker  
Executive Liaison

  
\_\_\_\_  
Jeff Jack  
Chairman



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number:** C15-2012-0111 - 3312 Beverly Road

**Contact:** Susan Walker, 512-974-2202

**Public Hearing:** Board of Adjustment, October 8th, 2012

**GERALD BACA**

Your Name (please print)

1800 WEST 34TH ST

Your address(es) affected by this application

*Susan Walker*

Signature

Date

Daytime Telephone:

512-573-6240

Comments:

512-453-1072 Home

I Am IN FAVOR OF THE GARAGE APT.

PLEASE CALL ME IF YOU HAVE QUESTIONS

JERRY

453-1072

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker

P. O. Box 1088

Austin, TX 78767-1088



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
  - appearing and speaking for the record at the public hearing;
- and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number:** C15-2012-0111 – 3312 Beverly Road

**Contact:** Susan Walker, 512-974-2202

**Public Hearing:** Board of Adjustment, October 8th, 2012

Larry Greenberg + Sylvia  
Your Name (please print)

3309 Beverly Rd

Your address(es) affected by this application



10-6-12

Sgt. Greenberg  
Signature

Daytime Telephone: 451 2498

10-6-12  
Date

Comments:

If you use this form to comment, it may be returned to:  
City of Austin-Planning & Development Review Department/ 1st Floor  
Susan Walker  
P. O. Box 1088  
Austin, TX 78767-1088



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;

- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C15-2012-0111 - 3312 Beverly Road

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, October 8th, 2012

Aria & William Gray

Your Name (please print)

3305 Beverly Rd.

Your address(es) affected by this application

*[Signature]*

Signature

Daytime Telephone:

698 2575

10/5/12

Date

Comments:



If you use this form to comment, it may be returned to:  
City of Austin-Planning & Development Review Department/ 1st Floor  
Susan Walker  
P. O. Box 1088  
Austin, TX 78767-1088



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number: C15-2012-0111 - 3312 Beverly Road**

**Contact: Susan Walker, 512-974-2202**

**Public Hearing: Board of Adjustment, October 8th, 2012**

Your Name (please print)

M. E. Hays



Your address(es) affected by this application

Signature

Date

Daytime Telephone: \_\_\_\_\_

Comments: \_\_\_\_\_

**If you use this form to comment, it may be returned to:**  
**City of Austin-Planning & Development Review Department/ 1st Floor**

**Susan Walker**

**P. O. Box 1088**

**Austin, TX 78767-1088**



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number: C15-2012-0111 – 3312 Beverly Road**

**Contact: Susan Walker, 512-974-2202**

**Public Hearing: Board of Adjustment, October 8th, 2012**

Your Name (please print)

1804 W. 34th.

Your address(es) affected by this application

*Cynthia E. Spoor*

Signature

Date

Daytime Telephone: 512-550-1882

Comments:



**If you use this form to comment, it may be returned to:**  
City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker

P. O. Box 1088

Austin, TX 78767-1088



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing;

- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
  - is the record owner of property within 500 feet of the subject property or proposed development; or
  - is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council, the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number: C15-2012-0111 - 3312 Beverly Road**  
**Contact: Susan Walker, 512-974-2202**  
**Public Hearing: Board of Adjustment, October 8th, 2012**

MARY WET + LACE ARCHIBALD

Your Name (please print)

1802 W. 34<sup>TH</sup> ST

Your address(es) affected by this application

[Signature]

Signature

10-6-12

Date

Daytime Telephone: 512-459-0008

Comments:



**If you use this form to comment, it may be returned to:**  
 City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker  
 P. O. Box 1088  
 Austin, TX 78767-1088



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
  - appearing and speaking for the record at the public hearing;
- and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number:** C15-2012-0111 – 3312 Beverly Road

**Contact:** Susan Walker, 512-974-2202

**Public Hearing:** Board of Adjustment, October 8th, 2012

Your Name (please print) Margaret LaMer



Your address(es) affected by this application 3308 Beverly Rd

Signature [Signature]

Date 10-7-12

Daytime Telephone: \_\_\_\_\_

Comments: \_\_\_\_\_

**If you use this form to comment, it may be returned to:**

City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker

P. O. Box 1088

Austin, TX 78767-1088



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number: C15-2012-0111 - 3312 Beverly Road**

**Contact: Susan Walker, 512-974-2202**

**Public Hearing: Board of Adjustment, October 8th, 2012**

Ashley Harder

Your Name (please print)

3311 Beverly Rd.

Your address(es) affected by this application

Regisela. #2

Signature

10/7/2012

Date

Daytime Telephone: \_\_\_\_\_

Comments: \_\_\_\_\_



**If you use this form to comment, it may be returned to:**  
 City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker

P. O. Box 1088

Austin, TX 78767-1088



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number:** C15-2012-0111 – 3312 Beverly Road  
**Contact:** Susan Walker, 512-974-2202  
**Public Hearing:** Board of Adjustment, October 8th, 2012

*Sally A. Luuobeele*

Your Name (please print)

*3401 Oakmont Blvd*

Your address(es) affected by this application

*Sally A. Luuobeele*

Signature

*10.1.12*

Date

Daytime Telephone: *512.451.6855*

Comments:



**If you use this form to comment, it may be returned to:**

City of Austin-Planning & Development Review Department/ 1st Floor  
 Susan Walker  
 P. O. Box 1088  
 Austin, TX 78767-1088



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

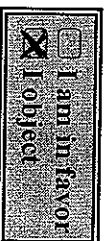
**Case Number:** C15-2012-0111 – 3312 Beverly Road

**Contact:** Susan Walker, 512-974-2202

**Public Hearing:** Board of Adjustment, October 8th, 2012

DOROTHY CAVETT

Your Name (please print)



1901 WEST 34TH STREET

Your address(es) affected by this application

Dorothy Cavett

Signature

10/2/12

Date

Daytime Telephone: 512-463-7933

Comments: Historic area, the land is not sufficient to accommodate a large amount. Many families (residence) in the neighborhood have had returned to single-family residences. I need more to the keep it that way.

**If you use this form to comment, it may be returned to:**

City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker

P. O. Box 1088

Austin, TX 78767-1088



1901 West 35<sup>th</sup> Street  
Austin, Texas 78703

October 1, 2012

Board of Adjustment  
City of Austin  
Attn: Susan Walker

Via E-mail

Re: Objection - Case No. C15-2012-0111; 3312 Beverly

Members:

I have met and visited with the Fowlers since they moved in to the neighborhood. They are a very nice couple and a welcomed addition to Bryker Woods.

I write this letter today objecting to each of the three variance requests to the Land Development Code. For you to consider the granting of a variance, a hardship must exist. **No such hardship exists.**

1. Mr. and Mrs. Fowler bought the subject property knowing full well its condition and the limitations of the lot. Should they, they cannot claim to be innocent purchasers particularly with a purchase price exceeding \$500,000.
2. It has been suggested that the variance is needed to provide quarters for visiting family and friends because of the limitation of sleeping and bathing accommodations in the existing house. Again, this is not a hardship. Were that to be the case, the substandard single story addition, that ultimately will be demolished, could be redesigned as an integrated two story addition to the existing house of as much as 540 square feet thus achieving additional 2<sup>nd</sup> floor space for this purpose without the need for a garage apartment.
3. The variance requested is to allow the construction of a garage apartment that ultimately will be used for income purposes. That is not a rationale for granting a variance.
4. It is very possible that such a redesign may exceed impervious cover limitations.

I truly hope that this is a case of "if you don't ask, you don't get" but under no circumstances should naivety be assumed by the Board of Adjustment. There is nothing to justify a hardship that remotely rises to the granting of a variance to the Land Development Code.

Thank you for your service.

August W. Harris III



1901 West 35<sup>th</sup> Street  
Austin, Texas 78703

October 1, 2012

Board of Adjustment  
City of Austin  
Attn: Susan Walker

Via E-mail

Re: Objection - Case No. C15-2012-0111; 3312 Beverly

Members:

I have met and visited with the Fowlers since they moved in to the neighborhood. They are a very nice couple and a welcomed addition to Bryker Woods.

I write this letter today objecting to each of the three variance requests to the Land Development Code. For you to consider the granting of a variance, a hardship must exist. **No such hardship exists.**

1. Mr. and Mrs. Fowler bought the subject property knowing full well its condition and the limitations of the lot. Should they, they cannot claim to be innocent purchasers particularly with a purchase price exceeding \$500,000.
2. It has been suggested that the variance is needed to provide quarters for visiting family and friends because of the limitation of sleeping and bathing accommodations in the existing house. Again, this is not a hardship. Were that to be the case, the substandard single story addition, that ultimately will be demolished, could be redesigned as an integrated two story addition to the existing house of as much as 540 square feet thus achieving additional 2<sup>nd</sup> floor space for this purpose without the need for a garage apartment.
3. The variance requested is to allow the construction of a garage apartment that ultimately will be used for income purposes. That is not a rationale for granting a variance.
4. It is very possible that such a redesign may exceed impervious cover limitations.

I truly hope that this is a case of "if you don't ask, you don't get" but under no circumstances should naivety be assumed by the Board of Adjustment. There is nothing to justify a hardship that remotely rises to the granting of a variance to the Land Development Code.

Thank you for your service.

August W. Harris III



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact person listed on a notice); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number: C15-2012-0111 - 3312 Beverly Road**

**Contact: Susan Walker, 512-974-2202**

**Public Hearing: Board of Adjustment, October 8th, 2012**

**JOYCE BASCIANO**

Your Name (please print)

**1907 WEST 34<sup>th</sup> ST**

Your address(es) affected by this application

*Susan Basciano*

Signature

**9/30/2012**

Date

Daytime Telephone:

Comments: *The owner/applicant has fair use of the property without any variances. There is no reason to permit a secondary apartment where one does not exist now, on a lot that doesn't meet the requirements for secondary apartments.*

**If you use this form to comment, it may be returned to:**

City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker

P. O. Box 1088

Austin, TX 78767-1088



If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2<sup>nd</sup> Floor (One Texas Center).

CASE # C15-2012-0111  
ROW # 10826962  
TP-0120010813

CITY OF AUSTIN  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

**WARNING: Filing of this appeal stops all affected construction activity.**

**PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.**

STREET ADDRESS: 3312 Beverly Road

LEGAL DESCRIPTION: Subdivision – Bryker Woods "E"

Lot(s) 7 Block 2 Outlot - Division -

I/We Pablo Serna on behalf of myself/ourselves as authorized agent for

Katie & Will Fowler affirm that on July 31, 2012,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

1. Detached Garage with Secondary Apartment on lot less than 7,000SF (6,795.36 per sheet A1.0).

2. Build within 15'-0" Street Side Yard (as shown, 14'-2" on sheet A2.0).

3. Build within 10'-0" Rear Yard Setback (as shown, 5'-0" on sheet A2.0).

in a SF-3 NP district.  
(zoning district)

(Windsor Road N.R.)

**NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.**



**VARIANCE FINDINGS:** I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use because:  
Regarding the 7000SF min. lot size for a Secondary Apartment, the lot in question is within 205 SF of compliance. As a corner lot, there is additional yard space from the ROW from the Street Side Yard.

**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:  
Placing the structure within the B.L. Setbacks would eliminate any potential for improvements to the existing Addition. The proposed separation is 12'-0", shown on A2.0.

(b) The hardship is not general to the area in which the property is located because:  
The shape of the property tapers back toward the rear due to the street Right of Way.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:  
The lot is very nearly the size (7000 SF) required. The proposed structure is within the Residential Design & Compatibility Standards for Height and Tent.

**PARKING:** (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A



2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

The proposed Detached Garage is larger than the Existing (1 Car) structure. The new concrete drive can fit an additional 2 cars off the street.

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:


The proposed Detached Garage/Secondary Apartment does not encroach into the adjacent P.U.E. setbacks as noted on sheet A2.0.

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

Are allowed as part of lots that are 7000 SF. The Secondary Apartment will be for residential use.

**NOTE:** The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.


**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 126 Cotton Top Dr.

City, State & Zip Cedar Creek, Texas 78612

Printed Pablo Serna Phone (512) 963-0919 Date July 31, 2012

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.



Signed  Mail Address 3312 Beverly Road

City, State & Zip Austin, Texas 78703

Printed Will Fowler Phone (512) 761-2225 Date July 31, 2012





-  SUBJECT TRACT
-  ZONING BOUNDARY

CASE#: C15-2012-0111  
LOCATION: 3312 Beverly Road



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Legal Description:

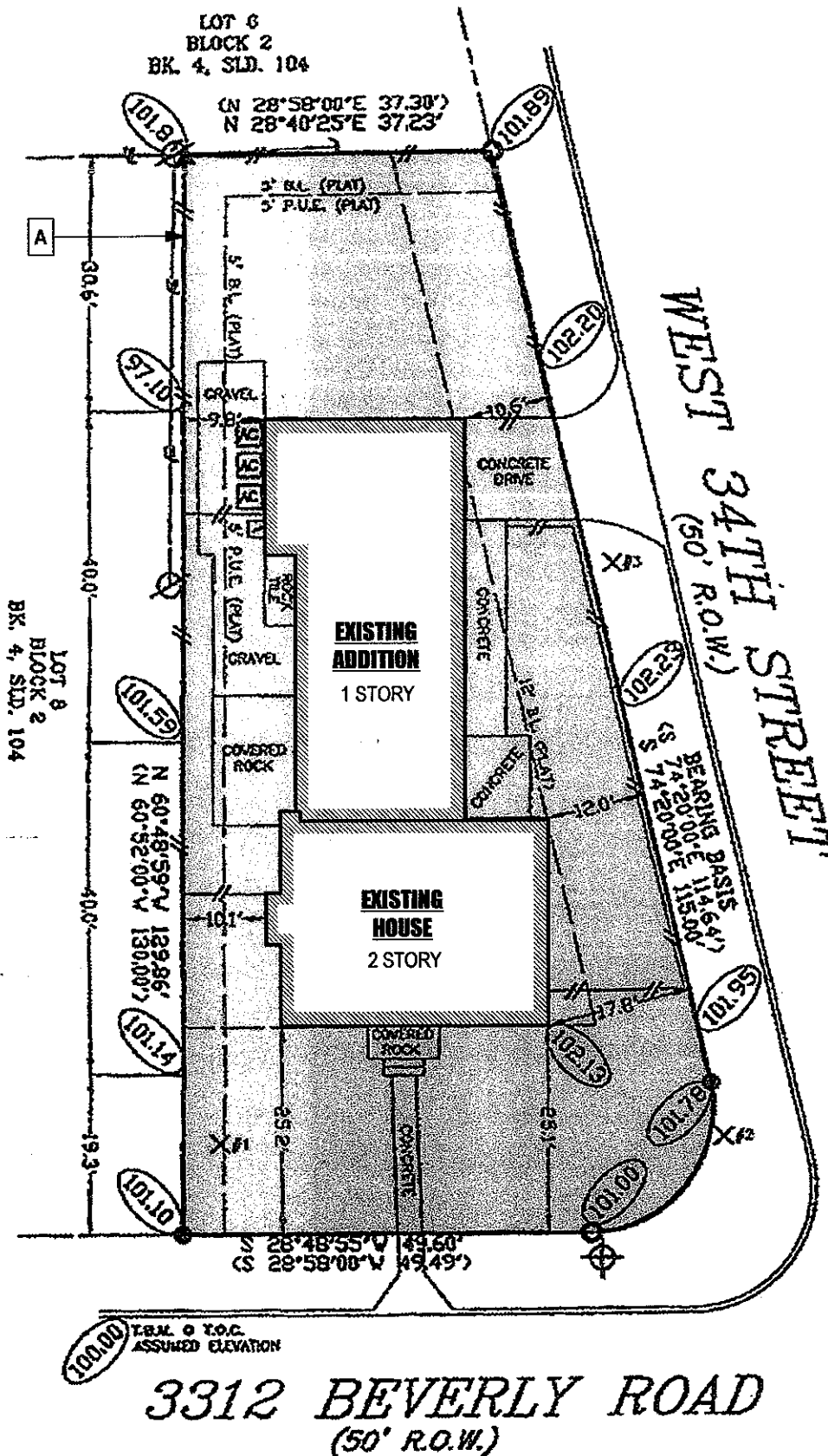
LOT: 7 BLOCK: 2  
 SUBDIVISION: Bryker Woods "E"  
 VOL: 4 PAGE: 104  
 COUNTY: Travis

Street Address & Zoning Classification:

3312 Beverly Road  
 ZONING: SF-3-NP

Site Calculations:

A. Per Survey:  
 - Total SF of Lot = 6,795.36 SF





Graphic Legend:

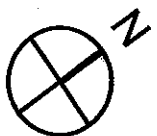
- NEW WALL PARTITIONS
- EXISTING WALLS
- EXISTING - NOT IN CONTRACT
- ITEM(S) TO BE DEMOLISHED

3312 BEVERLY ROAD  
 (50' R.O.W.)

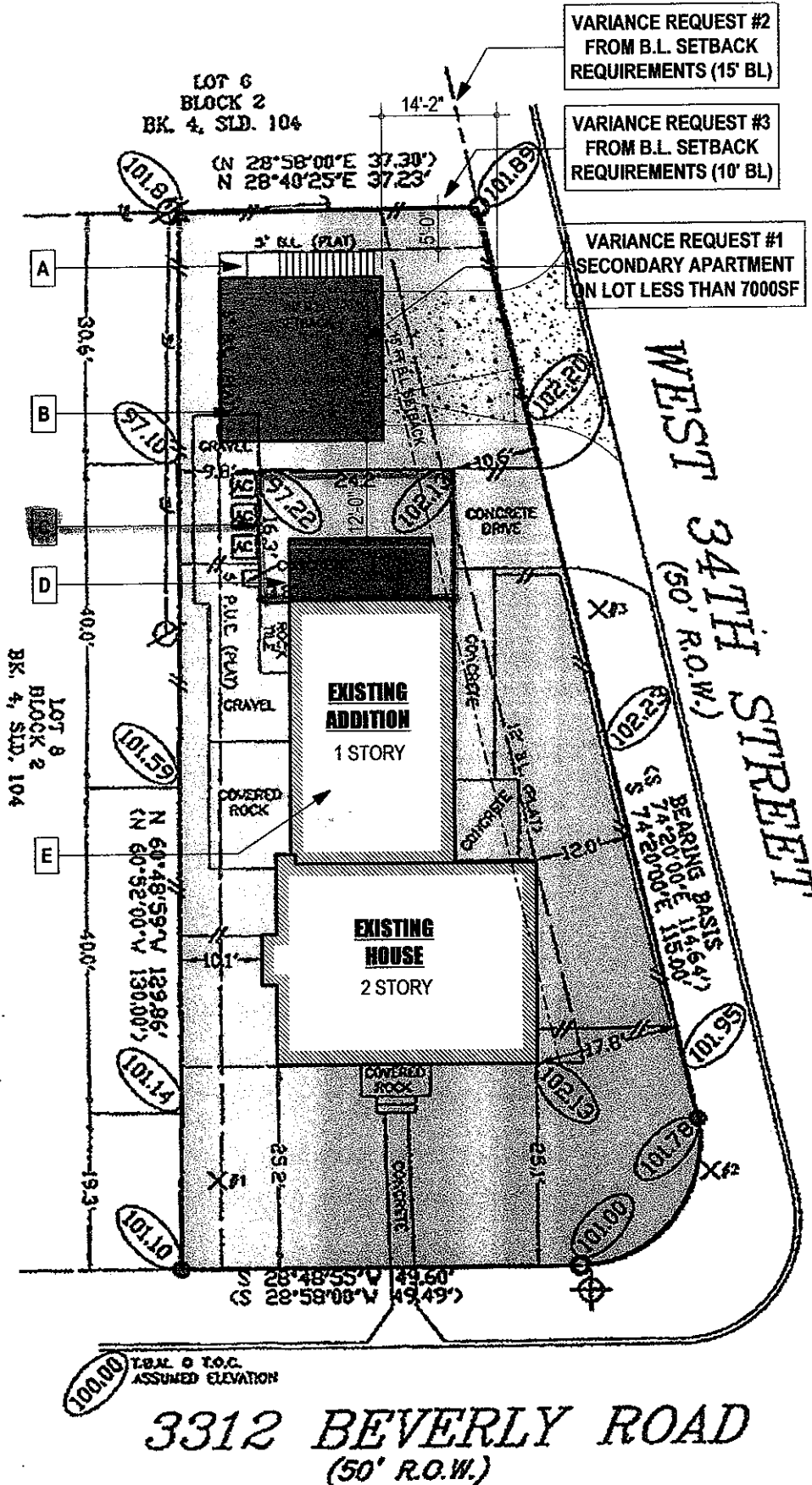




-  NEW WALL PARTITIONS  
 EXISTING WALLS  
 EXISTING - NOT IN CONTRACT  
 ITEM(S) TO BE DEMOLISHED





Legal Description:

LOT: 7 BLOCK: 2  
 SUBDIVISION: Bryker Woods "E"  
 VOL: 4 PAGE: 104  
 COUNTY: Travis

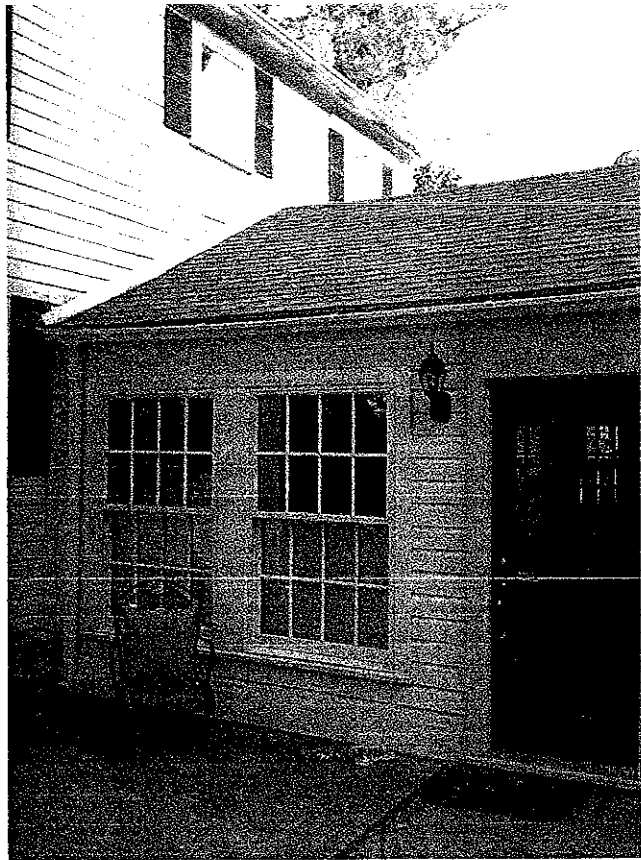
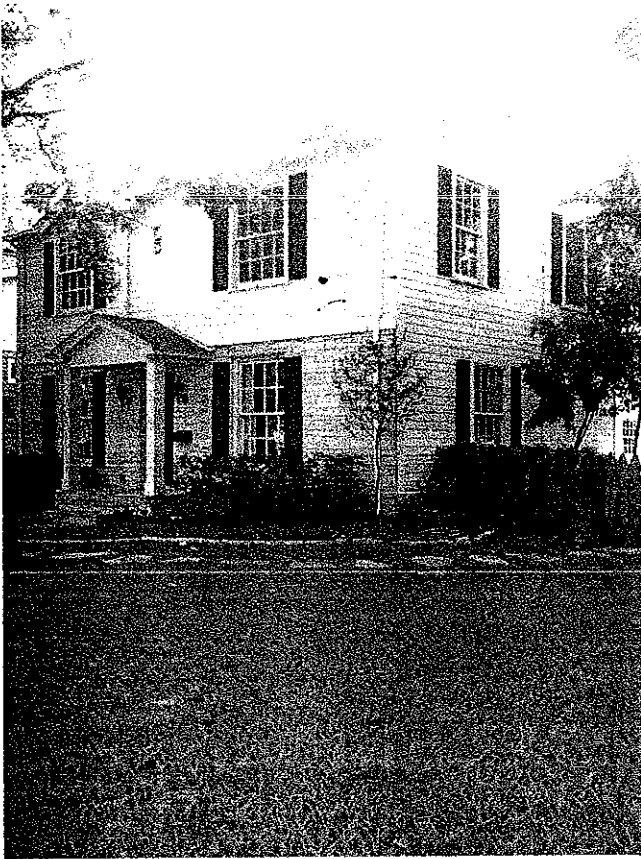
Street Address & Zoning Classification:

3312 Beverly Road  
 ZONING: SF-3-NP

Description of Proposed Work:

- A. New Stairs to 2nd Floor Apartment:
  - Does not encroach into P.U.E.
  - Located away from Main House for added privacy.
- B. New Garage Apartment:
  - 2 Story structure
  - 3 Parking Spaces provided; two inside Garage, plus one outside.
- C. Demolition of Existing Garage
  - Vacate existing concrete drive.
- D. New Addition (135 SF):
  - Bathroom & Closet space
- E. Interior Renovation of Existing Space
  - Laundry Room & Bedroom spaces







## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number:** C15-2012-0111 – 3312 Beverly Road  
**Contact:** Susan Walker, 512-974-2202  
**Public Hearing:** Board of Adjustment, January 14, 2013

*Dorcas J. & Elizabeth A. Opalka*  
 Your Name (please print)

*3303 Oakmont Blvd*      *78703*

Your address(es) affected by this application

*[Signature]*  
 Signature

Daytime Telephone: *(512) 422-9816*

*1/5/2013*  
 Date

Comments: *Please approve this variance.*

*Thank you.*

☒ I am in favor  
☐ I object

**If you use this form to comment, it may be returned to:**

City of Austin-Planning & Development Review Department/ 1st Floor  
 Susan Walker  
 P. O. Box 1088  
 Austin, TX 78767-1088





SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2012-0111  
LOCATION: 3312 Beverly Road



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number:** C15-2012-0111 – 3312 Beverly Road

**Contact:** Susan Walker, 512-974-2202

**Public Hearing:** Board of Adjustment, January 14, 2013

DOBOTLY CAVE IT

Your Name (please print)

☐ I am in favor  
☒ I object

1901 West 34th ST,

Your address(es) affected by this application

Susanne Carrell

Signature

Date

Daytime Telephone: 512-443-7933

Comments: Don't think it is a good

idea to support single family  
residences to meet family (children)  
residences should not be placed  
to the curb than they already are.  
Land needs space.

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor  
Susan Walker  
P. O. Box 1088  
Austin, TX 78767-1088